

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-00194-MOC
(1:16-cr-00039-MOC-WCM-1)**

DANIELLE JONES,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

ORDER

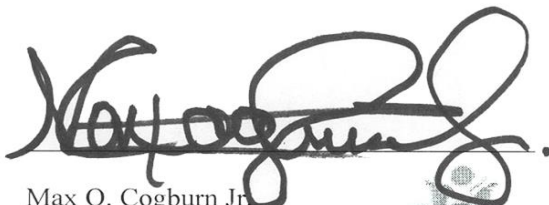
THIS MATTER is before the Court on periodic status review and Petitioner's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody. [Doc. 1].

On January 24, 2022, the Court granted Petitioner twenty (20) days in which to provide an explanation as to why her Section 2255 motion to vacate should not be dismissed as untimely, including any reasons why equitable tolling should apply. [Doc. 9]. More than 20 days have passed, Plaintiff has not responded, and it appears that Petitioner's motion to vacate is untimely in any event. The Court, therefore, will dismiss Plaintiff's motion without prejudice.

IT IS, THEREFORE, ORDERED that:

- (1) Petitioner's Motion [Doc. 1] is **DISMISSED** without prejudice.
- (2) The Clerk is instructed to terminate this action.

Signed: March 17, 2022


Max O. Cogburn Jr.
United States District Judge